

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DAYLEQUAN ARNOLD,

Plaintiff,

Case No. 3:22-cv-34

vs.

MONTGOMERY COUNTY JAIL,

District Judge Michael J. Newman

Magistrate Judge Elizabeth P. Deavers

Defendant.

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**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE  
MAGISTRATE JUDGE (Doc. No. 3); (2) DISMISSING WITH PREJUDICE  
PLAINTIFF'S COMPLAINT AGAINST THE MONTGOMERY COUNTY JAIL; (3)  
DIRECTING PLAINTIFF TO FILE AN AMENDED COMPLAINT, IF ANY, BY MAY 6,  
2022; (4) DIRECTING THE CLERK OF COURT TO HOLD SERVICE OF SUMMONS  
PENDING THE COURT'S REVIEW OF THE AMENDED COMPLAINT PLAINTIFF  
MAY FILE**

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The Court has reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth P. Deavers (Doc. No. 3) to whom this case was referred pursuant to 28 U.S.C. § 636(b). Plaintiff has not filed objections to the Report and Recommendation and the time for doing so under Fed. R. Civ. P. 72(b) has expired. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge (Doc. No. 3) in its entirety; (2) **DISMISSES with prejudice** Plaintiff's Complaint against the Montgomery County Jail; (3) **DIRECTS** Plaintiff to file an amended complaint, if any, by **May 6, 2022**; and (4) **DIRECTS** the Clerk of Court to hold service of summons pending the Court's review of the amended complaint Plaintiff may file.

**IT IS SO ORDERED.**

April 6, 2022

s/ Michael J. Newman

Hon. Michael J. Newman

United States District Judge